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Tuesday, October 26, 2004

**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B
OF THE KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

9:30 AM

Present: Supervisor Gloria Molina, Supervisor Yvonne B. Burke, Supervisor Zev
Yaroslavsky, Supervisor Michael D. Antonovich and Chairman Don
Knabe

Invocation led by Father Fermin Rosas, Catedral Sagrada Familia, Huntington Park
(1).

Pledge of Allegiance led by George Dixon, 2nd Vice Commander, Eagle Rock Post
No. 276, The American Legion (5).

**THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION
AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD .**

Video Transcript Link for Entire Meeting (03-1075)

[Video Transcript](#)

**THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION
AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD .**

NOTICES OF CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Susan Rodde, et al. v. Diana Bonta, County of Los Angeles, et al., United States District Court, Central District of California, Case No. CV 03 1580

Harris et al. v. Board of Supervisors et al., Los Angeles Superior Court Case No. BS 08 1860; United States District Court Case No. CV 03 2008

Union of American Physicians and Dentists, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BS 083 853

These lawsuits challenge the closure of Rancho Los Amigos National Rehabilitation Center and High Desert Hospital, and alleged curtailments at LAC+USC Medical Center and MLK/Drew Medical Center (03-1392)

CS-2. PUBLIC EMPLOYMENT
(Government Code Section 54957)

Consideration of candidates for appointment to the position of County Counsel.
(04-1736)

CS-3. DEPARTMENT HEAD PERFORMANCE EVALUATIONS
(Government Code Section 54957)

Consideration of Department Head performance evaluations. (03-2917)

CS-4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Subdivision (c) of Government Code Section 54956.9)

Initiation of litigation (one case) (04-2808)

SET MATTERS

9:30 a.m.

-
Presentation of plaque to The Honorable Alain Dudoit commemorating his appointment as Consul General of Canada in Los Angeles, as arranged by the Chairman.

Presentation of scroll to legendary cowboy hero Herb Jeffries, "The Bronze Buckaroo," in recognition of his groundbreaking achievements in film and music and in celebration of his 93rd Birthday, as arranged by Supervisor Antonovich.

Presentation of scrolls to the San Gabriel Valley All-Stars congratulating the team on winning the Senior Babe Ruth World Series Championship, as arranged by Supervisor Antonovich.

Presentation of pets to the television audience for the County's Pet Adoption Program, as arranged by Supervisor Antonovich.

Presentation of a scroll to teachers and students of Hollenbeck Middle School for raising awareness about the health dangers of toxic lead in imported candy and to commemorate October 24 through 30, 2004 as "National Childhood Lead Poisoning Prevention Week," as arranged by Supervisor Molina.

Presentation of scroll to Ellen Stern Harris in recognition of her 75th Birthday and her lifelong commitment to civic engagement and environmental activism, as arranged by Supervisor Yaroslavsky.

Presentation of scroll to Dr. Elizabeth Nash for her retirement as the Superintendent of the Southern California Regional Occupational Center in Torrance, as arranged by Supervisor Knabe. (04-0046)

PUBLIC HEARINGS 1 - 15

1.

Hearing to consider requests from the Sheriff and District Attorney for the appropriation of \$397,000 in Supplemental Law Enforcement Services funds allocated by the Legislature in support of the Citizen's Option for Public Safety (COPS) Program for front line law enforcement services in the unincorporated area of the County (All Districts). **4-VOTES** (04-2852)

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

- 1. APPROVED THE DISTRICT ATTORNEY'S AND SHERIFF'S REQUESTS FOR APPROPRIATION OF SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS IN TOTAL AMOUNT OF \$397,000, ALLOCATED BY THE LEGISLATURE IN SUPPORT OF THE CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM, FOR FRONT LINE LAW ENFORCEMENT SERVICES IN THE UNINCORPORATED AREA OF THE COUNTY; AND**
- 2. APPROVED AN APPROPRIATION ADJUSTMENT TRANSFERRING \$147,000 AND \$250,000 FROM THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES TRUST FUND TO THE SHERIFF'S DEPARTMENT AND DISTRICT ATTORNEY'S OPERATING BUDGETS, RESPECTIVELY.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

2. Sale at public auction of County-owned surplus real property located at 300 Rosecrans Ave., Compton (2), at a minimum bid of \$465,000. (04-2460)

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

- 1. AWARDED THE SALE OF THE PROPERTY AND THE COUNTY'S RIGHT, TITLE AND INTEREST TO MELVIN MORRIS, IN THE AMOUNT OF \$910,000.00;**
- 2. INSTRUCTED THE CHAIRMAN TO SIGN THE QUITCLAIM DEED UPON PRESENTATION;**
- 3. AUTHORIZED THE CHIEF ADMINISTRATIVE OFFICER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION; AND**
- 4. INSTRUCTED THE AUDITOR-CONTROLLER TO DEPOSIT THE SALE PROCEEDS INTO THE ASSET DEVELOPMENT IMPLEMENTATION FUND.**

[See Supporting Document](#)

[Video](#)

[See Final Action](#)

Absent:

None

Vote:

Unanimously carried

3.
- Hearing on annexation of approved tentative subdivision territories to County Lighting Maintenance Districts 1687 and 1697, and County Lighting District LLA-1, Unincorporated and Carson Zones (2 and 5); and to levy and collect annual assessments within the annexed subdivision territories for street lighting purposes, with a base annual assessment rate for a single-family home of \$5 for the Unincorporated Zone and \$1 for the Carson Zone, for Fiscal Year 2005-06; also adoption of Joint Resolutions approving and accepting the exchange of property tax revenues resulting from the annexation of territories. (04-2358)

THE BOARD CLOSED THE HEARING; INSTRUCTED THE DEPUTY EXECUTIVE OFFICER OF THE BOARD TO TABULATE THE ASSESSMENT BALLOTS SUBMITTED, AND NOT WITHDRAWN, IN SUPPORT OF OR IN OPPOSITION TO THE PROPOSED ANNEXATION AND LEVY OF ASSESSMENTS FOR EACH APPROVED TENTATIVE SUBDIVISION TERRITORY IN COUNTY LIGHTING MAINTENANCE DISTRICT 1687 AND 1697, AND COUNTY LIGHTING DISTRICT LLA-1, UNINCORPORATED AND CARSON ZONES; AND TABLED THE MATTER FOR LATER IN THE MEETING FOR A REPORT ON THE TABULATION OF THE BALLOTS AND DECISION.

[See Supporting Document](#)
[See Final Action](#)
[Video](#)
[Video](#)

Absent:

None

Vote:

Unanimously carried

**THE BOARD TOOK THE FOLLOWING ACTIONS AFTER THE REPORT BY THE
DEPUTY EXECUTIVE OFFICER OF THE BOARD:**

- 1. DETERMINED THAT A MAJORITY PROTEST EXISTS AGAINST THE
PROPOSED ASSESSMENTS FOR SUBDIVISION TERRITORY, PROJECT
NO. 3-104, WITHIN COUNTY LIGHTING MAINTENANCE DISTRICT 1697
AND COUNTY LIGHTING DISTRICT LLA-1, CARSON ZONE; AND AS
A RESULT, ABANDONED THE ANNEXATION, LEVY OF ASSESSMENTS
AND PROPERTY TAX TRANSFER PROCEEDINGS AND REFERRED THE
MATTER BACK TO THE INTERIM DIRECTOR OF PUBLIC WORKS;**
- 2. DETERMINED THAT NO MAJORITY PROTEST EXISTS AGAINST THE
PROPOSED ASSESSMENTS FOR THE REMAINING 3 SUBDIVISION
TERRITORIES, PROJECT NOS. 32-304, 33-304 AND 34-304, WITHIN
COUNTY LIGHTING MAINTENANCE DISTRICT 1687 AND COUNTY
LIGHTING DISTRICT LLA-1, UNINCORPORATED ZONES;**
- 3. MADE A FINDING THAT THE ANNEXATIONS AND ASSESSMENTS ARE
FOR THE PURPOSE OF MEETING OPERATING EXPENSES, PURCHASING
SUPPLIES, EQUIPMENT OR MATERIALS; MEETING FINANCIAL RESERVE
NEEDS AND REQUIREMENTS; AND OBTAINING FUNDS FOR CAPITAL
PROJECTS, INCLUDING THE OPERATION AND MAINTENANCE OF
STREET LIGHTS NECESSARY TO MAINTAIN SERVICE WITHIN THE
ANNEXED AREAS;**
- 4. ADOPTED A RESOLUTION ORDERING ANNEXATION OF APPROVED
TENTATIVE SUBDIVISION TERRITORIES TO COUNTY LIGHTING
MAINTENANCE DISTRICT 1687, COUNTY LIGHTING DISTRICT LLA-1,
UNINCORPORATED ZONES, AND THE LEVYING OF ASSESSMENTS
WITHIN THE ANNEXED SUBDIVISION TERRITORIES FOR FISCAL YEAR
2005-06; AND**
- 5. ADOPTED JOINT RESOLUTIONS APPROVING AND ACCEPTING THE
EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM
ANNEXATION OF THE TERRITORIES TO COUNTY LIGHTING
MAINTENANCE DISTRICT 1687, COUNTY LIGHTING DISTRICT LLA-1,
UNINCORPORATED ZONES.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

[Video](#)

Absent: None

Vote: Unanimously carried

4.

Hearing on annexation of territories to County Lighting Maintenance District 1687 and County Lighting District LLA-1, Unincorporated Zone (1, 4 and 5); levy and collect annual assessments within the annexed territories for street lighting purposes, with a base annual assessment rate for a single-family residence of \$5 for the Unincorporated Zone, for Fiscal Year 2005-06; formation of Improvement Zones 530 and 533 for Petition Nos. 136-1001 and 33-203, respectively, within County Lighting Maintenance District 1687 and County Lighting District LLA-1; approve funding for the installation of concrete poles with overhead wiring in Improvement Zones 530 and 533, in amount of \$10,000 and \$6,000, respectively, from County Lighting Maintenance District 1687 and County Lighting District LLA-1, Unincorporated Zone; and levy a special annual assessment within Improvement Zones 530 and 533 in amount of \$48 and \$53 per parcel, respectively, over a 10-year period from Fiscal Year 2005-06 through 2014-15 against benefited parcels for repayment of improvement costs; also adoption of Joint Resolutions approving and accepting the exchange of property tax revenues resulting from the annexation of territories. (04-2366)

THE BOARD TOOK THE FOLLOWING ACTIONS:

1. **CONTINUED FOR ONE WEEK TO WEDNESDAY, NOVEMBER 3, 2004, THE PROPOSED ANNEXATION, LEVY OF ASSESSMENTS AND PROPERTY TAX TRANSFER PROCEEDINGS FOR PETITION NO. 22-203 FOR A REPORT FROM THE DEPARTMENT OF PUBLIC WORKS ON THE ISSUES RAISED DURING THE HEARING; AND**
2. **CLOSED THE HEARING AND INSTRUCTED THE DEPUTY EXECUTIVE OFFICER OF THE BOARD TO PROVIDE FOR THE TABULATION OF ASSESSMENT BALLOTS SUBMITTED, AND NOT WITHDRAWN, IN SUPPORT OF OR IN OPPOSITION TO THE PROPOSED ANNEXATION AND LEVY OF ASSESSMENTS FOR THE REMAINING 13 PETITIONS IN COUNTY LIGHTING MAINTENANCE DISTRICT 1687 AND COUNTY LIGHTING DISTRICT LLA-1, UNINCORPORATED ZONE (1, 4 AND 5); AND CONTINUED THE MATTER TO WEDNESDAY, NOVEMBER 3, 2004 FOR A REPORT ON THE BALLOT RESULTS AND DECISION.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent:

None

Vote:

Unanimously carried

5.

Hearing to vacate, with reservations, a portion of Hilltop Climb Dr., future street and easement for slope purposes southeast of Whittemore Dr., unincorporated Monte Nido area (3); also determination of exemption from the provisions of the California Environmental Quality Act. (Continued from meetings of 8-24-04 and 9-28-04)

(04-2008)

REFERRED BACK TO THE DEPARTMENT OF PUBLIC WORKS

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

6. Hearing to vacate, with reservations, a portion of Fetterly Ave. north of 3rd Street, unincorporated East Los Angeles area (1), and accept the areas set aside into the County System of Highways; also determination of exemption from the provisions of the California Environmental Quality Act. (04-2635)

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

1. **MADE A FINDING THAT THE PROPOSED VACATION IS CATEGORICALLY EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; THAT THE AREAS TO BE VACATED IS NO LONGER NEEDED FOR PRESENT OR PROSPECTIVE PUBLIC USE, INCLUDING BICYCLE PATHS AND TRAILS; AREAS TO BE SET ASIDE AND ACCEPTED INTO THE COUNTY SYSTEM OF HIGHWAYS ARE NECESSARY TO PUBLIC CONVENIENCE; AND THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION AND EXCEPTION OF EASEMENTS AND RIGHTS;**
2. **ACCEPTED CIVIC CENTER WAY AND PORTIONS OF 3RD STREET INTO THE COUNTY SYSTEM OF HIGHWAYS FOR MAINTENANCE PURPOSES;**
3. **ADOPTED A RESOLUTION ORDERING THE VACATION WITH RESERVATIONS, SETTING ASIDE PORTIONS OF COUNTY-OWNED PROPERTY FOR STREET AND HIGHWAY PURPOSES AND ACCEPTING THE AREAS SET ASIDE INTO THE COUNTY SYSTEM OF HIGHWAYS; AND**
4. **INSTRUCTED THE INTERIM DIRECTOR OF PUBLIC WORKS TO RECORD SAID RESOLUTION WITH THE REGISTRAR-RECORDER/COUNTY CLERK.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

7. Hearing on proposed billing rate adjustments which include the following, to comply with various program billing requirements and maximize Medicare reimbursement and to ensure that charges sufficiently cover costs, to be effective November 1, 2004; also elimination of the Observation Inpatient rate at all five Department of Health Services hospitals: (04-2717)

Increase in Program services requiring itemized billing by 2%

Increase in hospital inpatient OB Special Care Nursery - Mother services at Olive View/UCLA Medical Center by 24%

Increase in Residential Drug/Alcohol Treatment services at Antelope Valley Rehabilitation Center by 56%

Increase in Family Planning Access Care and Treatment Program services by 2%

Increase in Breast Cancer Early Detection Program services by 3%

THE BOARD CLOSED THE HEARING; APPROVED THE BILLING RATE ADJUSTMENTS, EFFECTIVE NOVEMBER 1, 2004; AND THE ELIMINATION OF THE CHARGE FOR OBSERVATION INPATIENT CARE AT ALL FIVE DEPARTMENT OF HEALTH SERVICES' HOSPITALS.

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

8. Hearing on proposed increase of \$2.00 in the Law Library component of the civil filing fee from \$16.00 to \$18.00 in the Superior Court to defray the expenses of the Law Library, effective January 1, 2005; also exclude the \$2.00 increase from the definition of "total filing fee" under Government Code Sections 26820.6 and 72055. (04-2718)

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

- 1. APPROVED THE PROPOSED INCREASE OF \$2.00 IN THE LAW LIBRARY COMPONENT OF THE CIVIL FILING FEE FROM \$16.00 TO \$18.00 IN THE SUPERIOR COURT, EFFECTIVE JANUARY 1, 2005; AND**
- 2. EXCLUDED THE \$2.00 INCREASE FROM THE DEFINITION OF ~~the~~ TOTAL FILING FEE~~s~~ UNDER GOVERNMENT CODE SECTIONS 26820.6 AND 72055.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

9. Hearing on maximum and minimum ticket and parking prices proposed by the Los Angeles Philharmonic Association for the 2005 Hollywood Bowl Season (3); also find that fees are exempt from the California Environmental Quality Act. (04-2720)

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

- 1. MADE A FINDING THAT THE PROPOSED FEES ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT;**
- 2. APPROVED A SCHEDULE OF MAXIMUM AND MINIMUM TICKET AND PARKING PRICES FOR THE 2005 HOLLYWOOD BOWL SEASON; AND**
- 3. ADOPTED A RESOLUTION INCREASING VARIOUS FEES AT THE HOLLYWOOD BOWL FOR THE 2005 SEASON.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

10. Hearing on amendment to the Los Angeles County Nondisposal Facility Element, incorporating the existing Athens Services Materials Recovery Facility/Transfer

Station, located at 14048 East Valley Blvd., unincorporated City of Industry area (All Districts). (04-2719)

THE BOARD CLOSED THE HEARING; AND ADOPTED A RESOLUTION APPROVING AMENDMENT NO. 2 TO THE LOS ANGELES COUNTY NONDISPOSAL FACILITY ELEMENT (NDFE), TO ADD THE ATHENS SERVICES MATERIALS RECOVERY FACILITY/TRANSFER STATION TO THE NDFE; AND INSTRUCTED THE INTERIM DIRECTOR OF PUBLIC WORKS TO:

- 1. TRANSMIT A COPY OF AMENDMENT NO. 2 TO THE NONDISPOSAL FACILITY ELEMENT TO ALL CITIES IN THE COUNTY WITHIN 30 DAYS; AND**
- 2. SUBMIT AMENDMENT NO. 2 TO THE NONDISPOSAL FACILITY ELEMENT TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR APPROVAL, IN ACCORDANCE WITH REQUIREMENTS OF STATE LAW.**

[See Supporting Document](#)

[See Final Action](#)

[Video](#)

Absent: None

Vote: Unanimously carried

11. Hearing on proposed amendments to Title 22 - Planning and Zoning, to amend the Santa Monica Mountains North Area Community Standards District (3) to establish new development standards for review of grading projects and ridgeline development in the Santa Monica Mountains North Area; consideration of the certified Final Environmental Impact Report SCH#99011068 (FEIR) for the Ventura Freeway Corridor Areawide Plan and an addendum; find that the addendum to the FEIR was prepared in compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines and Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles; and adopt the Statement of Overriding Considerations. (04-2682)

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

- 1. CONSIDERED AND ADOPTED THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT SCH #99011068 (FEIR) FOR THE VENTURA FREEWAY CORRIDOR AREAWIDE PLAN AND THE REVISED ADDENDUM THERETO;**
- 2. MADE A FINDING THAT THE REVISED ADDENDUM TO THE FEIR WAS PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), CEQA GUIDELINES (SECTION 15184), AND ENVIRONMENTAL DOCUMENT REPORTING PROCEDURES AND GUIDELINES OF THE COUNTY OF LOS ANGELES;**

3. **ADOPTED THE STATEMENT OF OVERRIDING CONSIDERATIONS;**
4. **DIRECTED STAFF TO DRAFT THE FOLLOWING AMENDMENTS TO:**
 - A. **REMOVE THE REQUIREMENT FROM THE ORDINANCE THAT GRADING PROJECTS RESULTING IN A DISTURBED AREA LARGER THAN 15,000 SQ FT NEED A CONDITIONAL USE PERMIT;**
 - B. **CLARIFY THAT THE SIGNIFICANT RIDGELINE MAP WILL BE ADOPTED AS PART OF THE ORDINANCE, AND INCLUDE ON SIGNIFICANT RIDGELINE MAP THE CRITERIA FOR SIGNIFICANT RIDGELINE DESIGNATION;**
 - C. **CLARIFY THE ~~“APPLICABILITY”~~ LANGUAGE OF THE ORDINANCE TO CLEARLY EXEMPT PROJECT APPLICATIONS THAT HAVE BEEN DEEMED COMPLETE, APPLICATIONS WHICH HAVE ALREADY UNDERGONE A PUBLIC HEARING, AND PREVIOUSLY APPROVED APPLICATIONS WHERE THE ANTICIPATED GRADING WAS CLEARLY DEPICTED; AND**
 - D. **EXEMPT FROM THE 5,000 CUBIC YARDS GRADING THRESHOLD, GRADING THAT IS NECESSARY TO ESTABLISH A FIRE DEPARTMENT'S REQUIRED TURNAROUND, BUT NOT THE ROAD/DRIVEWAY THAT LEADS TO IT.**
5. **DETERMINED THAT ADOPTION OF THE AMENDMENTS TO TITLE 22 - PLANNING AND ZONING OF THE COUNTY CODE, ARE COMPATIBLE WITH AND SUPPORTIVE OF THE GOALS OF THE LOS ANGELES COUNTY GENERAL PLAN; AND**
6. **APPROVED THE RECOMMENDATION OF THE REGIONAL PLANNING COMMISSION TO ADOPT THE SANTA MONICA MOUNTAINS NORTH**

AREA GRADING AND SIGNIFICANT RIDGELINE ORDINANCE AND PROPOSED SIGNIFICANT RIDGELINES MAP AS AMENDED BY STAFF, COUNTY COUNSEL, AND SUPERVISOR'S YAROSLAVSKY AND BURKE; AND
7. **INSTRUCTED COUNTY COUNSEL TO PREPARE THE NECESSARY ORDINANCE WITH THE PROPOSED AMENDMENTS FOR THE BOARD'S CONSIDERATION AND ADOPTION.**

[See Supporting Document](#)

[Video](#)

[Video](#)

[Video](#)

[Video](#)

[Video](#)

[See Final Action](#)

Absent: None

Vote: No: Supervisor Antonovich and Supervisor Knabe

12. Combined hearing on the following zoning matters and Negative Declaration relating to property located at 16166 Spunky Canyon Rd., Green Valley, Bouquet Canyon Zoned District, petitioned by Fadel Hannoun: (04-2803)

Zone Change Case No. 03-117-(5), from C-2 and R-1-7,500 to C-2-DP

Conditional Use Permit Case No. 03-117-(5), to authorize the establishment and operation of a market and gas station and the sale of a full line of alcoholic beverages for off-site consumption from the proposed market

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

1. **CONSIDERED AND ADOPTED THE NEGATIVE DECLARATION PREPARED FOR THE PROJECT; CERTIFIED ITS COMPLETION AND DETERMINED THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT WILL HAVE A SIGNIFICANT IMPACT UPON THE ENVIRONMENT; AND THAT THE NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE COUNTY;**
2. **MADE A FINDING THAT THE PROPOSED CHANGE OF ZONE IS CONSISTENT WITH THE LOS ANGELES COUNTY GENERAL PLAN AND THE ANTELOPE VALLEY AREAWIDE GENERAL PLAN; AND FIND THAT THE PUBLIC CONVENIENCE, THE GENERAL PLAN WELFARE AND GOOD ZONING PRACTICE JUSTIFY THE RECOMMENDED CHANGE OF ZONE;**
3. **INDICATED ITS INTENT TO APPROVE ZONE CHANGE NO. 03-117-(5);**
4. **INDICATED ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 03-117-(5), WITH THE EXCEPTION THAT THE PROPOSED MARKET BE RESTRICTED TO THE SALE OF BEER AND WINE ONLY;**

AND

- 5. INSTRUCTED COUNTY COUNSEL TO PREPARE THE NECESSARY ORDINANCE AND FINDINGS AND CONDITIONS OF APPROVAL, INCLUDING THE CONDITION RELATING TO THE SALE OF BEER AND WINE ONLY, FOR FINAL APPROVAL.**

[See Supporting Document](#)

[Video](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

13. Combined hearing on the following zoning matters and Mitigated Negative Declaration relating to property located at the northwest corner of Avenue N and 50th Street West, Quartz Hill Zoned District, petitioned by World Premier Investments: (04-2801)

Zone Change Case No. 02-301-(5), from A-1-10,000 to C-2-DP

Conditional Use Permit Case No. 02-301-(5), to ensure compliance with requirements of the proposed development program zone

Vesting Tentative Parcel Map Case No. 26903-(5), to create five lots with five new commercial buildings

THE BOARD CLOSED THE HEARING AND TOOK THE FOLLOWING ACTIONS:

- 1. CONSIDERED AND ADOPTED THE MITIGATED NEGATIVE DECLARATION PREPARED FOR THE PROJECT; CERTIFIED ITS COMPLETION, FINDING THAT THE AND DETERMINED THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT WILL HAVE A SIGNIFICANT IMPACT UPON THE ENVIRONMENT WITH THE IMPLEMENTATION OF THE REQUIRED MITIGATION MEASURES; AND THAT THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE COUNTY;**
- 2. MADE A FINDING THAT THE PROPOSED CHANGE OF ZONE IS CONSISTENT WITH THE LOS ANGELES COUNTY GENERAL PLAN AND THE ANTELOPE VALLEY AREAWIDE GENERAL PLAN; AND FIND THAT THE PUBLIC CONVENIENCE, THE GENERAL PLAN WELFARE AND GOOD ZONING PRACTICE JUSTIFY THE RECOMMENDED CHANGES OF ZONE;**
- 3. APPROVED ZONED CHANGE CASE NO. 02-301-(5); AND ADOPTED**

ORDINANCE NO. 2004-0062Z ENTITLED, "AN ORDINANCE AMENDING SECTION 22.16.230 OF TITLE 22 - PLANNING AND ZONING OF THE LOS ANGELES COUNTY CODE, CHANGING REGULATIONS FOR THE EXECUTION OF THE GENERAL PLAN, RELATING TO QUARTZ HILL ZONED DISTRICT NO. 98." THIS ORDINANCE SHALL TAKE EFFECT NOVEMBER 25, 2004.

- 4. INDICATED ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 02-301-(5) AND VESTING TENTATIVE PARCEL MAP NO. 26903-(5); AND**
- 5. INSTRUCTED COUNTY COUNSEL TO PREPARE THE NECESSARY FINDINGS AND CONDITIONS FOR FINAL APPROVAL.**

[See Supporting Document](#)
[Video](#)
[See Final Action](#)

Absent: None

Vote: Unanimously carried

- 14. Combined hearing on the following zoning matters and to consider and certify that the Environmental Impact Report (EIR) as revised by the Final Additional Analysis concerning water supply and the Western Spadefoot Toad for the project known as West Creek has been completed in compliance with the California Environmental Quality Act (CEQA), State and County Guidelines and the Court directives in the litigation challenging the Project and reflects the independent judgment and analysis of the County; adopt the revised Mitigation Monitoring Program incorporated in the revised EIR, finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and adopt the revised CEQA Findings and Statement of Overriding Considerations for the project located in the northern portion of unincorporated County area and within the County's Santa Clarita Valley Planning Area, Newhall Zoned District, petitioned by Newhall Land and Farming Company: [This hearing is being conducted pursuant to a writ of mandate issued by the California Superior Court in Santa Barbara directing the County to vacate certification of the West Creek Final EIR, and ordering the water supply analysis, the cumulative impacts analysis for water supply and demand, and any other analysis related to water supply and demand contained in the EIR be revised.] (04-2805)**

General-Plan and Sub-Plan Amendment Case Nos. 98-008-(5), an amendment to the Los Angeles Countywide General Plan and the Santa Clarita Valley Areawide Plan and various policy maps to facilitate construction of the West Creek mixed residential and commercial development project

Zone Change Case No. 98-008-(5), from A-2-5 to C-2-DP, OS and RPD

Conditional Use Permit Case No. 98-008-(5), to authorize the development within a Significant Ecological Area to ensure compliance with the provisions of the RPD and C-2-DP zones; and to allow development within a Hillside Management area; and

Oak Tree Permit Case No. 98-008-(5), to permit the removal of 13 oaks trees

Parking Permit Case No. 98-008-(5), to permit off-site parking facilities for proposed commercial uses

Vesting Tentative Tract Map Case No. 52455-(5), to allow the creation of 1,262 residential lots, 11 commercial lots, 3 lots for recreation areas, 32 lots for paseos, trails and bridge crossings; 110 open space lots and 103 lots containing water tanks, storm water drainage facilities and private streets

CONTINUED WITHOUT DISCUSSION TO JANUARY 25, 2005.

[See Supporting Document](#)

[See Final Action](#)

[See Final Action](#)

Absent: Supervisor Antonovich

Vote: Common Consent

15. De novo hearing on Conditional Use Permit Case No. 02-324-(1), and determination of Categorical Exemption to authorize the continued operation of an existing two-story, 36-room hotel with office and manager's residence located at 5379 Whittier Blvd., Eastside Unit No. 1 Zoned District, applied for by Ishwarlal B. and Sitaben I. Bhakta. (Appeal from Regional Planning Commission's denial) (04-2782)

CONTINUED WITHOUT DISCUSSION TO JANUARY 25, 2005.

[See Supporting Document](#)

[See Final Action](#)

Absent: Supervisor Antonovich

Vote: Common Consent

ADMINISTRATIVE MATTERS

BOARD OF SUPERVISORS (Committee of Whole) 16 - 20

16. Recommendation as submitted by Supervisor Antonovich: Send a five-signature letter to the State Department of Food and Agriculture requesting a full investigation of D&D Rendering Company regarding allegations that the Company is processing animal carcasses into agricultural food that is eventually fed to animals used for human consumption, and to provide the County with a copy of the results. (04-2854)

APPROVED

[See Supporting Document](#)
[Report](#)
[See Final Action](#)

Absent: Supervisor Antonovich

Vote: Unanimously carried

17. Recommendation as submitted by Supervisor Antonovich: Establish a \$10,000 reward for any information leading to the arrest and conviction of the person or persons responsible for a hit and run accident which resulted in a fatality and the injury of another person, by a driver in a black Honda Prelude on the westbound 10 Freeway in the Baldwin Park area, at approximately 4:20 p.m., on Sunday, October 10, 2004. (04-2855)

APPROVED

[See Supporting Document](#)
[See Final Action](#)

Absent: Supervisor Antonovich

Vote: Unanimously carried

18. Recommendation as submitted by Supervisor Antonovich: Direct the Executive Officer of the Board to schedule all Board Meetings falling on the fourth Tuesday of

the month to be conducted in a different Supervisorial District, beginning with the Fifth District. (04-2851)

CONTINUED ONE WEEK TO WEDNESDAY, NOVEMBER 3, 2004

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Common Consent

19. Recommendation as submitted by Supervisor Molina: Proclaim October 24, 2004 as "National Childhood Lead Poisoning Prevention Week" throughout Los Angeles County in an effort to educate the public about the dangers of lead poisoning; and instruct the Director of Health Services, the Director of Public Health and County Counsel to work in conjunction on the following related actions: (04-2853)

Draft an ordinance banning the sale of candy containing toxic lead;

Send a letter to grocers Countywide, requesting the voluntary removal of all candy containing lead;

Complete random testing of candies that are known by the Federal Food and Drug Administration to exhibit exceptionally high levels of lead and publicize the results;

Distribute educational posters to schools, child care providers, emergency rooms and health centers, and Women, Infant and Children centers in high-risk areas; and

Outreach to schools by providing information to parents and developing a curriculum on the health effects of lead in candy.

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: Supervisor Antonovich

Vote: Unanimously carried

20. Recommendation as submitted by Supervisor Knabe: Direct the Director of Health Services, in conjunction with the Hospital Association of Southern California and the Los Angeles County Medical Association, to produce a detailed analysis, within 90 days, on the reasons hospitals and physicians are opting out of Medi-Cal and the impact such actions are having on Medi-Cal patient's access to care, as well as the public and private sector health care delivery system; also direct the Chief Administrative Officer and Director of Health Services, in conjunction with the Hospital Association of Southern California and the Los Angeles County Medical Association, to produce a joint advocacy strategy within 90 days, which would include a five-signature letter to Governor Schwarzenegger and the Los Angeles County Legislative Delegation, alerting them to the dire need for adequate Medi-Cal reimbursement and the adverse effect inadequate rates are having on the safety net in Los Angeles County. (04-2844)

APPROVED

[See Supporting Document](#)

[Video](#)

[Report](#)

[See Final Action](#)

Absent: Supervisor Antonovich

Vote: Unanimously carried

ADMINISTRATIVE OFFICER (Committee of Whole) 21

21. Recommendation: Adopt resolution allowing employee termination pay to be contributed on a pre-tax basis to a qualified tax deferred plan(s) on behalf of employees who voluntarily sign an irrevocable agreement providing for such contributions that will be designated as employer contributions and will be in lieu of payments that would otherwise be made to the affected employees as taxable termination pay; instruct County Counsel, in conjunction with the Chief Administrative Officer and the Auditor-Controller, to prepare the necessary irrevocable employee agreements relating to pre-tax termination pay contributions; instruct County Counsel to prepare and the Chair to sign the necessary contract amendment with Great-West Retirement Services for plan administration services and the necessary trust agreement with Wells Fargo Bank, N.A. for plan trustee services; instruct the Auditor-Controller to make the necessary payroll system changes; also approve introduction of two related ordinances to implement the changes. (Relates to Agenda Nos. 25 and 26) (04-2842)

APPROVED AGREEMENT NO. 75135

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

PUBLIC WORKS (4) 22

22. Recommendation: Consider and approve the Negative Declaration (ND) for the proposed project to construct a wildlife underpass on Harbor Blvd., City of La Habra Heights (4); concur that the project will not have a significant effect on the environment and that the ND reflects the independent judgment of the County; adopt the Reporting Program to ensure compliance with the project and conditions adopted to mitigate or avoid significant effects on the environment; approve and authorize the Interim Director to carry out the project and to pay the \$1,250 fee to the State Department of Fish and Game. (Continued from meeting of 10-12-04 at the request of Supervisor Knabe) (04-2690)

CONTINUED TWO WEEKS TO NOVEMBER 9, 2004

[See Supporting Document](#)

Absent: None

Vote: Common Consent

SHERIFF (3) 23

23. Joint recommendation with County Counsel: Approve and instruct the Chairman to sign the following contracts to continue to staff the Equity Oversight Panel (EOP) whose function is to make findings and recommend discipline following investigations of harassment and discrimination in the Sheriff's Department, to monitor investigations of harassment and discrimination complaints and to evaluate the effectiveness of the Policy of Equality as required by Court orders in the Bouman case, with EOP member participation not to exceed an annual hourly commitment of 500 hours and an annual monetary amount not to exceed \$100,000 each, and the EOP Chairperson's participation not to exceed an annual hourly commitment of 750 hours and an annual monetary amount not to exceed \$150,000: (04-2828)

One-year renewal contract with EOP members, John W. Harris and Nancee S. Schwartz, effective November 5, 2004 through November 4, 2005;

Two-year renewal contract with EOP Chairperson, Susan B. Tyler, effective November 5, 2004 through November 4, 2006; and

One-year contracts with new EOP members Mercedes Cruz and Louis Aguilar, effective November 5, 2004 through November 4, 2005
60-day extension contract with EOP members, Abby J. Leibman and Lloyd C. Loomis, effective November 5, 2004 through January 3, 2005.

CONTINUED ONE WEEK TO WEDNESDAY, NOVEMBER 3, 2004

[See Supporting Document](#)

Absent: None

Vote: Common Consent

MISCELLANEOUS COMMUNICATION 24

24.

Los Angeles County Claims Board's recommendation: Authorize settlement of case entitled, Elias Tasejo, Juan Tasejo, a minor, by and through his Guardian Ad Litem, Elias Tasejo, Sulma Tasejo v. County of Los Angeles, Los Angeles Superior Court Case No. TC 014 240, in amount of \$195,000, plus assumption of the Medi-Cal Lien not to exceed \$3,585; and instruct the Auditor-Controller to draw warrants to implement this settlement from the Department of Health Services' budget.
(Continued from meeting of 10-19-04 at the request of County Counsel) (04-2790)

**APPROVED WITH THE EXCEPTION OF THE CORRECTIVE ACTION PLAN
WHICH WAS CONTINUED ONE WEEK TO WEDNESDAY, NOVEMBER 3, 2004**

[See Supporting Document](#)

[Video Part 1](#)

[Video Part 2 Reconsider](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

ORDINANCES FOR INTRODUCTION 25 - 26

25. Ordinance for introduction amending the County Code, Title 5 - Personnel, relating to employee termination pay to be contributed on a pre-tax basis to qualified tax deferred plans by adding Chapter 5.18. (Relates to Agenda Nos. 21 and 26) (04-2857)

**INTRODUCED, WAIVED READING AND PLACED ON AGENDA OF WEDNESDAY,
NOVEMBER 3, 2004 FOR ADOPTION**

[See Supporting Document](#)
[See Final Action](#)

Absent: None

Vote: Unanimously carried

26. Ordinance for introduction amending the County Code, Title 5 - Personnel, relating to employee termination pay to be contributed on a pre-tax basis to qualified tax deferred plans by repealing and restating Chapter 5.26. (Relates to Agenda Nos. 21 and 25) (04-2856)

**INTRODUCED, WAIVED READING AND PLACED ON AGENDA OF WEDNESDAY,
NOVEMBER 3, 2004 FOR ADOPTION**

[See Supporting Document](#)
[See Final Action](#)

Absent: None

Vote: Unanimously carried

ORDINANCE FOR ADOPTION 27

27. Ordinance for adoption amending the County Code, Title 22 - Planning and Zoning, relating to the Rowland Heights Community Standards District ("CSD"), to add a number of standards related to commercial development within the CSD, and to

create certain review processes for ensuring compliance with said standards.
(04-2843)

**ADOPTED ORDINANCE NO. 2004-0061; THIS ORDINANCE SHALL TAKE
EFFECT NOVEMBER 25, 2004**

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

MISCELLANEOUS

**28. Additions to the agenda requested by Board members and the Chief
Administrative Officer, which were posted more than 72 hours in advance of the
meeting, as indicated on the green supplemental agenda.**

- 28-A.** Recommendation as submitted by Supervisors Antonovich and Knabe: Direct the Chief Administrative Officer and County Counsel to investigate and report back to the Board within 14 days on courses of action, including possible litigation, available to the Board to respond to a decision by the Los Angeles City Council to override the Los Angeles County Airport Land Use Commission's finding of inconsistency of the Los Angeles International Airport Master Plan with the County's Land Use Plan.
(04-2901)

APPROVED

[See Supporting Document](#)

[Report](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

- 28-B.** Recommendation as submitted by Supervisor Antonovich: Direct the Director of Children and Family Services to report back to the Board within 14 days with a corrective action plan to ensure every Children's Social Worker is visiting the children as mandated by Department of Children and Family Services' policy; and a plan to prevent future phone abuses by employees based on the Auditor-Controller's

investigation which found that a Children's Social Worker had fraudulently used his calling card to charge \$76,000 in calls to Thailand. (04-2902)

APPROVED

[See Supporting Document](#)
[Report](#)
[See Final Action](#)

Absent: None

Vote: Unanimously carried

- 29. Items not on the posted agenda, to be presented and (if requested) referred to staff or placed on the agenda for action at a future meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

- 29-A.** The Board made a finding made a finding that an emergency situation exists as defined in Government Code Section 54956.5; and on motion of Supervisor Antonovich, the Board made a determination, by a four-fifths vote, that this emergency will not permit a delay resulting from a competitive solicitation for bids, and that the immediate authorization for Mladen Buntich Construction Company (Buntich) to perform the work necessary to protect the City of San Marino's storm drain and street from future storm-related damage is necessary to respond to this emergency; authorized the Interim Director of Public Works to enter into and administer a contract with Buntich to perform the emergency work necessary to protect the City's storm drain and street from damage from future rainstorms; and instructed the Executive Officer of the Board to place this item on the agenda for Board review every 14 days, in accordance with Public Contract Code, Section 22050. (04-2915)

APPROVED

[Video](#)
[See Final Action](#)
[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

32. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

NO PERSONS ADDRESSED THE BOARD. (04-2914)

33. **Adjournment Motions**

On motions duly seconded and unanimously carried, the meeting was adjourned in memory of the following persons:

Supervisor Molina and All Board Members

Simon Maier

Supervisor Burke

Samuel Gravely, Jr.

Supervisors Knabe

Mario Bautista

Notis Theodore Christopoulos

Winifred V. Felando

William A. Finn

Denise Currirer Hardwick

Cecilia Elizabeth Johnsen Laxton

Milly Liang Liu, M.D.

Supervisor Antonovich and All Board Members

David H. Murdock II

Supervisor Antonovich

Eugene Francis Dow, Jr.

Kenneth Griffin

Martha Desantis-Herman

Paul Nitze

Jack Rourke

Richard Patrick Slocum

Roger Guy Steere

Mary Wareham

(04-2916)

ITEMS CONTINUED FROM PREVIOUS MEETINGS FOR FURTHER

DISCUSSION AND ACTION BY THE BOARD

- A-1. Continue local emergencies as a result of the following: (a) Discovery of an infestation of fruit flies, as proclaimed on August 8, 1989; (b) Discovery of an infestation of fruit flies, as proclaimed on May 10, 1990; (c) Fire started on September 22, 2002 in the Williams Canyon Area in the foothills of the eastern San Gabriel Valley, as proclaimed by the Chair on September 25, 2002 and ratified by the Board on October 1, 2002; (d) Multiple fires in and around the Cities of Claremont and La Verne, as proclaimed by the Chief Administrative Officer on October 26, 2003 and ratified by the Board on October 28, 2003; and (e) Flooding in the Cities of Carson, Compton, Los

Angeles, Lynwood, South Gate and the unincorporated areas of Willowbrook and Rosewood, as proclaimed by the Chair on November 12, 2003, ratified by the Board on November 18, 2003, and revised on December 2, 2003. **Documents on file in Executive Office**

REVIEWED AND CONTINUED

Closing 34

34. Open session adjourned to Closed Session at 4:52 p.m. following Board Order No. 33.

Closed Session was cancelled due to lack of a quorum. Therefore, by operation of law, the Chairman adjourned the Board of Supervisors' meeting of October 26, 2004. The next regular meeting of the Board will be Wednesday, November 3, 2004 at 9:30 a.m. (04-2913)

The foregoing is a fair statement of the proceedings of the meeting held October 26, 2004, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Violet Varona-Lukens, Executive Officer
Executive Officer-Clerk
of the Board of Supervisors